

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

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Soverain Software LLC,	§
Plaintiff,	§
v.	§ Civil Action No. 6:07-cv-511
CDW Corporation, Newegg Inc.,	§ Jury Trial Demanded
Redcats USA, Inc., Systemax Inc.,	§
Zappos.com, Inc., Redcats USA, L.P.,	§
The Sportsman's Guide, Inc., and	§
TigerDirect, Inc.	§
Defendants.	§
	§

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**DEFENDANTS SYSTEMAX, INC. AND TIGERDIRECT, INC.'S UNOPPOSED  
MOTION TO AMEND DISCOVERY ORDER TO EXTEND DEADLINES**

Defendants Systemax, Inc. ("Systemax") and TigerDirect, Inc. ("TigerDirect") (collectively referred to here in as "Defendants") hereby file their Unopposed Motion to Amend Discovery Order to Extend Deadlines, and, in support thereof, respectfully state the following:

**I. UNOPPOSED MOTION TO AMEND DISCOVERY ORDER  
TO EXTEND DEADLINES**

1. Under the Discovery Order entered by this Court on February 19, 2008, Defendants are required to file the following by June 20, 2008: (1) Invalidity Contentions under P.R. 3-3; (2) documents supporting their Invalidity Contentions under P.R. 3-4; (3) join any additional parties without leave of court; (4) assert any counterclaims without leave of Court; and (5) add any inequitable conduct allegations to pleadings without leave of Court. (referred to collectively herein as the "June 20, 2008 deadline").

2. At its request, Defendants agreed to extend Plaintiff Soverain Software LLC (“Soverain”) deadline to answer Interrogatories. Soverain subsequently filed its answers to Interrogatories on June 11, 2008. Based on information contained in those responses, Defendants must investigate, obtain and evaluate additional documents and information to satisfy the required filings for the June 20, 2008 deadline.

3. Defendants have addressed this issue with Soverain, and Soverain has stated it is unopposed to the relief requested.

4. In order to allow Defendants to accurately and completely address the matters due to be filed on the June 20, 2008 deadline, Defendants respectfully request that the Court amend the Discovery Order to extend the June 20, 2008 deadline by 30-days to July 21, 2008.

5. This extension is not sought for purposes of delay alone, but so that justice may be done.

## **II. PRAYER**

Therefore, Defendants respectfully request an extension of time to July 21, 2008, to file the following: (1) Invalidity Contentions under P.R. 3-3; (2) documents supporting their Invalidity Contentions under P.R. 3-4; (3) join any additional parties without leave of court; (4) assert any counterclaims without leave of Court; and (5) add any inequitable conduct allegations to pleadings without leave of Court.

Respectfully submitted this 20<sup>th</sup> day of June, 2008.

Respectfully submitted,

**GREENBERG TRAURIG, LLP**

/s/ Mary-Olga Lovett

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**ATTORNEYS FOR DEFENDANT  
SYSTEMAX INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on June 20, 2008, a true copy of the foregoing DEFENDANTS' UNOPPOSED MOTION TO AMEND DISCOVERY ORDER TO EXTEND DEADLINES was served on counsel of record herein by Certified Mail Return Receipt Requested:

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